

JC03 Rec'd PCT/PA 28 APR 2005

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|   |                        |                   |
|---|------------------------|-------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/511,819        |
|   | Filing Date            | October 19, 2004  |
|   | First Named Inventor   | Rauscher Guenther |
|   | Art Unit               | Not Yet Assigned  |
|   | Examiner Name          | Not Yet Assigned  |
| Total Number of Pages in This Submission  | Attorney Docket Number | 30071/40493       |

**ENCLOSURES (Check all that apply)**

|  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input checked="" type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment/Reply<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input checked="" type="checkbox"/> Response to Notification of Missing Requirements Under 35 USC 371<br><br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>-Combined Declaration and Power of Attorney<br>-Copy of Notification of Missing Requirements |
| <b>Remarks</b>   |  |   |

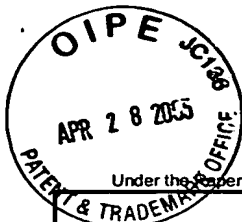
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                                |          |        |
|--------------|--------------------------------|----------|--------|
| Firm Name    | MARSHALL, GERSTEIN & BORUN LLP |          |        |
| Signature    |                                |          |        |
| Printed name | Jeremy R. Kriegel              |          |        |
| Date         | April 26, 2005                 | Reg. No. | 39,257 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 26, 2005

Signature: (Jeremy R. Kriegel)



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PTO/SB/17 (12-04v2)  
Approved for use through 7/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

### Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | 10/511,819        |
| Filing Date          | October 19, 2004  |
| First Named Inventor | Rauscher Guenther |
| Examiner Name        | Not Yet Assigned  |
| Art Unit             | Not Yet Assigned  |
| Attorney Docket No.  | 30071/40493       |

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account Deposit Account Number: 13-2855 Deposit Account Name: MARSHALL, GERSTEIN & BORUN LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

#### 2. EXCESS CLAIM FEES

| Fee Description                                    | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues)            | 50       | 25                    |
| Each independent claim over 3 (including Reissues) | 200      | 100                   |
| Multiple dependent claims                          | 360      | 180                   |

|               |              |          |               |                           |
|---------------|--------------|----------|---------------|---------------------------|
| Total Claims  | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims |
| _____         | _____        | _____    | _____         | _____                     |
| - =           |              | x        | =             | _____                     |
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |                           |
| _____         | _____        | _____    | _____         |                           |
| - =           |              | x        | =             |                           |

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

|              |              |  |                                |               |
|--------------|--------------|--|--------------------------------|---------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$)                       | Fee Paid (\$) |
| _____        | _____        | _____  | _____                          | _____         |
| - 100 =      |              | /50  | (round up to a whole number) x | =             |

#### 4. OTHER FEE(S)

|  |                |
|--|----------------|
| Non-English Specification, \$130 fee (no small entity discount)              |                |
| Other (e.g., late filing surcharge): 1051 Surcharge-Late oath or declaration | 130.00         |
|  | Fees Paid (\$) |

#### SUBMITTED BY

|                   |                   |                                   |                |           |                |
|-------------------|-------------------|-----------------------------------|----------------|-----------|----------------|
| Signature         |                   | Registration No. (Attorney/Agent) | 39,257         | Telephone | (312) 474-6300 |
| Name (Print/Type) | Jeremy R. Kriegel | Date                              | April 26, 2005 |           |                |

05/03/2005 SNAJHRRU 00000111 10511819

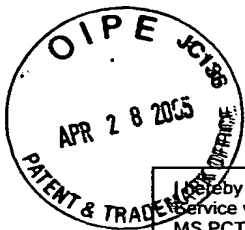
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Dated: April 26, 2005

Signature: (Jeremy R. Kriegel)



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Dated: April 26, 2005

Signature: Jeremy R. Kriegel  
(Jeremy R. Kriegel)

Docket No.: 30071/40493  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Rauscher Guenther

Application No.: 10/511,819

Filed: October 19, 2004

For: CONVEYOR LINE WITH AN ADJUSTABLE  
RAILING AND AN ACTUATOR DRIVE

Confirmation No.: 6563

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. § 371, the Applicant respectfully submits herewith the original executed Declaration/Power of Attorney. A check in the amount of \$130.00 for the surcharge required under 37 CFR 1.492(e) is also submitted herewith. In the event any additional fees are necessary, kindly charge the cost thereof to our Deposit Account No. 13-2855. A copy of the Notification is also submitted herewith.

Dated: April 26, 2005

Respectfully submitted,

By Jeremy R. Kriegel  
Jeremy R. Kriegel

Registration No.: 39,257  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. Wacker Drive, Suite 6300  
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Chicago, Illinois 60606-6357  
(312) 474-6300  
Attorney for Applicant



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/511,819                  | Rauscher Guenther     | 30071/40493      |

04743  
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 SEARS TOWER  
 CHICAGO, IL 60606

RECEIVED

APR 25 2005

MARSHALL GERSTEIN

INTERNATIONAL APPLICATION NO.

PCT/EP04/04872

LA. FILING DATE

05/07/2004

PRIORITY DATE

05/09/2003

CONFIRMATION NO. 6563

371 FORMALITIES LETTER



\*OC000000015760110\*

Date Mailed: 04/18/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/19/2004
- Copy of the International Search Report filed on 10/19/2004
- Preliminary Amendments filed on 10/19/2004
- Information Disclosure Statements filed on 10/19/2004
- U.S. Basic National Fees filed on 10/19/2004

Docketed: 6-18-05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/511,819                  | PCT/EP04/04872                | 30071/40493      |

FORM PCT/DO/EO/905 (371 Formalities Notice)